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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,901	10/21/2003	Derrick Kevin To	91490MGB	3766

1333 7590 02/01/2007
PATENT LEGAL STAFF
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EXAMINER

PHAM, HAI CHI

ART UNIT	PAPER NUMBER
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2861

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/688,901

Applicant(s)

TO ET AL.

Examiner

Hai C. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 36-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 15, 17-21, 39 and 40 is/are allowed.
- 6) ☒ Claim(s) 1, 3-14, 16, 36-38 and 41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

FINAL REJECTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 16, 36-37, 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Shibasaki (US 6,938,969).

Shibasaki discloses an image recording method and apparatus, the apparatus having at least two exposure heads (recording heads 34a and 34b), the method comprising loading at least one sheet of media on a media carrier (loading the print sheets 46a and 46b of different sizes via conveyance rollers 52 onto the platen 56), adjusting the spacing between the exposure heads in accordance with the number of sheets and the size of the media loaded on the media carrier (the spacing between the

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two recording heads being dynamically adjusted during imaging in accordance with the number of the print sheets, e.g., one or two print sheets as shown in Figs. 6B, 6C, and the size of the print sheets as shown in Figs. 6B, 6D, wherein the displacement of each of the two recording heads is different from the other so as to cover the different image areas), and imaging with each exposure head, a portion of a single sheet of media secured on the media carrier, or one of at least two sheets of media secured on the media carrier (imaging the two print sheets 46a and 46b with the respective recording heads 34a and 34b, which traverse within the set widths based on the size and number of the print sheets).

Shibasaki further teaches:

- the adjustable mechanism being operable to change the spacing between the exposure heads during a retrace cycle (the recording head 34a and 34b are reciprocally moving across the separate sheets at different displacements according to the size of the sheets),
- adjusting the spacing between the exposure heads in accordance with the number of sheets and the size of the media on the media carrier (imaging the two print sheets 46a and 46b with the respective recording heads 34a and 34b, which traverse within the set widths based on the size and number of the print sheets).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibasaki in view of Gamblin (US 4,131,898).

Shibasaki discloses all the basic limitations of the claimed invention except for the image carrier being a cylindrical drum.

However, it is old and well known in the art that the printing system can be implemented with an image carrier that can be either a platen or a cylindrical drum for holding the recording paper at the printing station as evidenced by Gamblin, which teaches an interlacing recorder comprising a media carrier (drum 13) carrying the recording sheet (paper 12), at least two exposure heads spaced apart from one another (print heads 10 and 11 are spaced apart by a distance S) (Fig. 3), each exposure head disposed to image a portion of a single sheet of media (sheet of paper 12) secured on the media carrier.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporate a cylindrical drum for carrying the recording paper in the device of Shibasaki as taught by Gamblin since Gamblin teaches this to be well known in the art to carry the recording medium on the external surface of a cylindrical drum.

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5. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibasaki in view of Gamblin, as applied to claims 1, 3 above, and further in view of Sawano et al. (JP 2000-343779).

Shibasaki in view of Gamblin discloses all the basic limitations of the claimed invention except for each exposure head being traversed by a leadscrew nut coupled to the exposure head and located on a common leadscrew and the adjustable mechanism, the leadscrew nuts being displaced by rotating the at least one of the leadscrew nuts on the common leadscrew, an auxiliary motor for rotating the at least one of the leadscrew nuts in response to signals provided by a controller, and each of the leadscrew nuts is rotatable and the common leadscrew is held fixed.

Sawano et al. teaches an imaging apparatus comprising a media carrier (platen 22) (Fig. 3) carrying the recording paper (Pm), three exposure heads (2a-2c) spaced apart from one another by a distance X_m (Fig. 1), each exposure head being disposed to image a portion of a single sheet of media secured on the media carrier so as to form the continuous line L in the main scanning direction Hh (English translation, paragraph [0010]), an adjustable mechanism (head spacing modification device section 3) for moving the exposure heads relative to each other to change a spacing therebetween based on the detection of the size of the recording paper as detected by the size detection sensor (5) (see Abstract) (English translation, paragraphs [0020]-[0021] and [0028]), wherein

- o Each of exposure head is traversed by a leadscrew nut (ball nut section 34) (Fig. 1) coupled to the exposure head and located on a common leadscrew (ball screw

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section 33) and the adjustable mechanism (head spacing modification device section 3) comprises a coupling between at least one of the leadscrew nuts and the associated exposure head capable of being displaced relative to the other exposure head (English translation, paragraph [0020]),

- The at least one of the leadscrew nuts is displaceable by rotating the at least one of the leadscrew nuts on the common leadscrew (English translation, paragraph [0020]),
- An auxiliary motor (rotation mechanical components 31, 35) rotating the at least one of the leadscrew nuts in response to signals provided by a controller (control processor C controls the rotation of the components 31 and 35 included in the head spacing modification device section 3 based on the signal obtained from the size detection sensor 5, at the time the invention was made of printing) (English translation, paragraphs [0020], [0028]),
- Each of the leadscrew nuts is rotatable and the common leadscrew is held fixed (Fig. 1) (English translation, paragraph [0020]),
- the adjustable mechanism is operable to change the spacing between the exposure heads during a retrace cycle (the head spacing modification device section 3 adjusts the intervals between the three print heads during the time after the completion of one printing operation and leading to the next printing operation when the size detection sensor 5 detects a recording paper of different size, i.e., at the beginning of each printing operation).

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It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the device of Shibasaki with the leadscrew assembly as taught by Sawano et al. The motivation for doing so would have been to adjust the spacing between the plural recording heads by controlling the displacement of each individual recording heads.

6. Claims 1, 3, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. (Pub. No. US 2003/0048467) in view of Shibasaki.

With regard to claims 1 and 8, Okamoto et al., an acknowledged prior art, discloses an image recording apparatus comprising two recording heads (2 and 3) each being mounted on a separate lead screw (e.g., ball screws 13) and lead screw nut (not shown) (it is noted that the traveling nut is inherently connected to the drive system, which rotates the lead screw nut for providing a movement of the exposure head along the lead screw) (paragraphs [0031]-[0032]), wherein the spacing between the two recording heads are adjusted so as to be positioned at a predetermined locations relative to each other and with respect to the printing plate based on the type and size of the different printing plates and the divisional image data (paragraphs [0040], [0042]) such that the recording heads concurrently scan their respective printing areas, the controlled positioning of the recording heads being made once the type of the printing plate and the divisional image data are determined, e.g., at the beginning of the printing operation. Okamoto et al. further teaches the starting positions of the respective recording heads and thus the spacing between the two recording heads being based on

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the number of the printing plates fixed on the cylindrical drum (1), wherein the positioning of the respective recording heads is determined by the joint gap between the printing plates (paragraphs [0105]-[0106]).

Okamoto et al. also suggests using the printing plates of different sizes, but fails to teach the adjustment of the spacing between the two recording heads during imaging.

Shibasaki teaches the spacing between the two recording heads (34a, 34b) being varied during imaging as determined by the distances L3 and L4 of movement of the respective recording heads so as to adapt to the size/width of the print sheets (46d, 46e) (Fig. 6D).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to adjust the spacing between the two recording heads of the device of Okamoto et al. during imaging as taught by Shibasaki so as to properly cover the image areas of the print sheets of different sizes.

With regard to claim 3, Okamoto et al. also teaches the media carrier being a cylindrical drum (1) and the media (printing plate) being secured to an external surface of the drum.

7. Claims 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. in view of Shibasaki, as applied to claim 1 above, and further in view of Nakao et al. (U.S. 5,359,434).

Okamoto et al., as modified by Shibasaki, discloses all the basic limitations of the claimed invention except for the target providing information of the location of the imaging beam along with the position sensitive detector, the target being formed with a pair of lines, being located and held fixed on the media carrier, and being a single common target.

Nakao et al. discloses an image forming apparatus comprising a target (mark 12) for determining the position of a laser beam, the target having a pair of lines on a background, the lines at a pre-determined angle to each other, the lines of contrasting reflectivity to the background (e.g., in Fig. 11A, the mark 12 having at least a line mark 12a and line mark 12b disposed at right angles, the mark being formed on the surface of the photoconductor 1 at a non-imaging region 1b and being formed of a material having a reflectance different from that of the photoconductor, the reflectance of which is captured by the photo detective element 7) (col. 10, lines 28-45). Nakao et al. further teaches the target (mark 12) being located and fixed on the photoreceptor, and being provided as a single common target for determining the location of the plurality of laser beams (Fig. 18).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the target for detecting the position of the beam in the device of Okamoto et al. as taught by Nakao et al. The motivation for doing so would have been to monitor the position of the laser beam with respect to the scanning area so as to allow for optimal scanning of the exposure head.

Allowable Subject Matter

8. Claims 2, 15, 17-21 and 39-40 are allowed.

Response to Arguments

9. Applicant's arguments filed 11/14/06 have been fully considered but they are not persuasive with regard to the teaching of Shibasaki. Applicants argued that "Shibasaki does not teach or suggest changing a spacing between the exposure heads while each exposure head is imaging", and cited Shibasaki's teaching at col. 5, lines 41-54 and Figure 6, that "one head 34a (or 34b) having completed a mainscanning of one line waits until the other head 24b (or 34a) completes a main-scanning" to support his argument. The examiner respectfully disagrees. Shibasaki teaches the displacements of the recording heads over the respective recording sheets of the same or different sizes during imaging such that the interval between the recording heads is constantly changing during imaging to cover the respective image areas. In the case where the two recording sheets are of the same size as shown in Fig. 6B, the scanning of the each of the heads (34a and 34b) and thus the movement of the heads over the respective recording sheets is dictated by the image length within each main scanning line, and one of the heads (34a or 34b), which has scanned through the image length, will wait for the other head to complete its own scanning before the two heads start to scan their respective main scan line. And even at that stand still position of the one head, the relative spacing is varied according to the image length covered by each head. In other

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words, Shibasaki clearly teaches changing spacing between the exposure heads while each exposure head is imaging as recited in claim 1.

Applicant further argued that "Okamoto et al. does not teach or suggest "an adjustable mechanism for moving the exposure heads relative to each other to change a spacing therebetween while each exposure head is imaging". However, Shibasaki remedies the lack in the teaching of Okamoto et al. by suggesting changing a spacing between the exposure heads while each exposure head is imaging, as indicated in the previous Office action issued on 11/03/06.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C. Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luu can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



HAI PHAM
PRIMARY EXAMINER

January 26, 2007